

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *EG* D.C.
05 DEC 20 PH 4:44

THOMAS N. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

JEREMIAH A. LEAVY,

Petitioner,

vs.

GLEN TURNER,

Respondent.

No. 05-2916-B/An

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ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS
AND
ORDER DIRECTING PETITIONER TO PAY THE HABEAS FILING FEE

Petitioner Jeremiah A. Leavy, Tennessee Department of Corrections prisoner number 288498, an inmate at the Hardeman County Correctional Facility in Whiteville, Tennessee, filed a petition pursuant to 28 U.S.C. § 2254 on December 5, 2005, along with an application to proceed in forma pauperis.

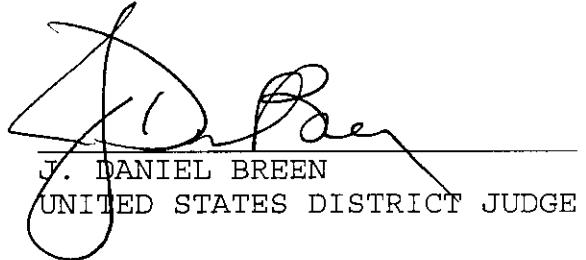
Based on the information contained in the in forma pauperis affidavit and inmate trust fund account statement, petitioner's motion to proceed in forma pauperis is DENIED. Petitioner is ORDERED to pay the \$5 habeas filing fee within thirty (30) days of the date of entry of this order. Failure timely to pay

This document entered on the docket client in compliance
with Rule 58 and/or 79(a) FRCP on 12-21-05

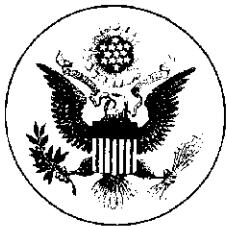
(3)

the filing fee will result in dismissal of the petition without further notice for failure to prosecute.

IT IS SO ORDERED this 20th day of December, 2005.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF TENNESSEE



Notice of Distribution

This notice confirms a copy of the document docketed as number 3 in case 2:05-CV-02916 was distributed by fax, mail, or direct printing on December 21, 2005 to the parties listed.

Jeremiah A. Leavy
HCCF
288498
P.O. Box 549
Whiteville, TN 37085

Honorable J. Breen
US DISTRICT COURT